

STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c)) - SMALL BUSINESS CONCERN

Docket Number: 175-284P

Applicant, Patentee, or Identifier: Williams et al.

Application or Patent No.: _____

Filed or Issued: _____

Title: HEAT-SETTING LABEL SHEET

I hereby state that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN FOTO-WEAR, INC.ADDRESS OF SMALL BUSINESS CONCERN 101 Pocono Drive, Milford, PA 18337

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 37 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☒ the specification filed herewith with title as listed above.
☐ the application identified above.
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

- ☒ no such person, concern, or organization exists.
☐ each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern, or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is not longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING

SCOTT A. WILLIAMS, PH.D.

TITLE IN ORGANIZATION OF PERSON SIGNING

Director, R&D

ADDRESS OF PERSON SIGNING

101 Pocono Dr. Milford, PA 18337

SIGNATURE

[Signature]

DATE

8/8/98

BIRCH, STEWART, KOLASCH & BIRCH,

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PLEASE NOTE:
 YOU MUST
 COMPLETE THE
 FOLLOWING

COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT AND DESIGN APPLICATIONS

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated next to my name; that I verily believe that I am the original, first and sole inventor (if only one inventor is named below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Insert Title:

HEAT-SETTING LABEL SHEET

Fill in Appropriate
 Information -
 For Use Without
 Specification
 Attached:

the specification of which is attached hereto. If not attached hereto,

the specification was filed on _____ as _____;
 United States Application Number _____;
 and amended on _____ (if applicable) and/or _____;
 the specification was filed on _____ as PCT _____;
 International Application Number _____; and was
 amended under PCT Article 19 on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representative or assigns more than twelve months (six months for designs) prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

| | | | | |
|----------------|-----------------|------------------------------|------------------------------|-----------------------------|
| (Number) _____ | (Country) _____ | (Month/Day/Year Filed) _____ | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| (Number) _____ | (Country) _____ | (Month/Day/Year Filed) _____ | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| (Number) _____ | (Country) _____ | (Month/Day/Year Filed) _____ | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| (Number) _____ | (Country) _____ | (Month/Day/Year Filed) _____ | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional applications(s) listed below.

| | |
|----------------------|-----------------|
| 60/148,562 | August 13, 1999 |
| (Application Number) | (Filing Date) |
| _____ | _____ |
| (Application Number) | (Filing Date) |

All Foreign Applications, if any, for any Patent or Inventor's Certificate Filed More than 12 Months (6 Months for Designs) Prior to the Filing Date of This Application:

| Country | Application Number | Date of Filing (Month/Day/Year) |
|---------|--------------------|---------------------------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States and/or PCT application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States and/or PCT application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

| | | |
|----------------------|---------------|---|
| (Application Number) | (Filing Date) | (Status - patented, pending, abandoned) |
| _____ | _____ | _____ |
| (Application Number) | (Filing Date) | (Status - patented, pending, abandoned) |
| _____ | _____ | _____ |

I hereby appoint the following attorneys to prosecute this application and/or an international application based on this application and to transact all business in the Patent and Trademark Office connected therewith and in connection with the resulting patent based on instructions received from the entity who first sent the application papers to the attorneys identified below, unless the inventor(s) or assignee provides said attorneys with a written notice to the contrary:

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PLEASE NOTE:
YOU MUST
COMPLETE
THE
FOLLOWING:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First
Inventor
Inventor's Signature
Inventor's Date This
Document is Signed

Inventor's Residence
Inventor's Citizenship

Inventor's Post Office
Address

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Inventor, if any;
see above

Full Name of Third
Inventor, if any;
see above

Full Name of Fourth
Inventor, if any;
see above

| | | |
|---|--------------------------|----------|
| GIVEN NAME/FAMILY NAME | INVENTOR'S SIGNATURE | DATE* |
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*DATE OF SIGNATURE